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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,447	06/26/2003	Jeffrey S. Hartlove	NGC-00063(48-0059)	2955
7590	12/15/2004		EXAMINER	
John A. Miller Warn, Burgess & Hoffmann, P.C. P.O. Box 70098 Rochester Hills, MI 48307			GURZO, PAUL M	
			ART UNIT	PAPER NUMBER
			2881	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/606,447	Applicant(s) HARTLOVE ET AL.	
	Examiner Paul Gurzo	Art Unit 2881	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1104</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz et al. (WP 02/32197).

Regarding claims 1, 7, 11, and 13, 197 teaches an extreme ultraviolet (EUV) radiation source for generating EUV radiation, said source comprising a source nozzle (6) for emitting a target material stream (2) to a target area, said nozzle including an exit orifice (10) through which the target material stream is emitted, and a laser source (1) generating a laser beam (1'), said laser beam impinging the target material stream at the target area to create a plasma (P) that emits the EUV radiation (page 10, line 18 - page 11, line 29). They do not explicitly state the claimed distance, but they do teach that the directionally stable jet also allows for a large distance between the outlet and the beam-jet-interaction area, thereby minimizing both erosion of the outlet and self-absorption of the generated radiation (page 5, lines 27-32). They also teach that the spatially continuous portion of the jet can be allowed to freeze close to the nozzle (6) (page 3, lines 26-30 and page 11, lines 24-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the desired distance and stream speed so that the stream will freeze and erosion and self-absorption will be minimized.

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Regarding claims 2, 8, 14, and 15, 127 teaches that the distance is at least a few millimeters (page 5, lines 31-32), and it is obvious that this teaches on the claimed distance because the prior art achieved the desired result of minimizing erosion and self-absorption.

Regarding claim 3, ref. 6 and 10 depict the claimed capillary tube.

Regarding claims 4, 9, and 16, 127 teaches effective freezing (page 3, lines 26-30).

Regarding claims 5, 6, 10, and 17, 127 teaches a stream of xenon droplets (page 10, lines 33-37).

Regarding claim 12, it is obvious that the desired speed is used because 127 teaches the need for freezing the stream before contact with the laser beam and this can only be achieved if the speed is manipulated so that freezing occurs in the area from the nozzle and the plasma generation.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McGregor et al. (6,324,256)

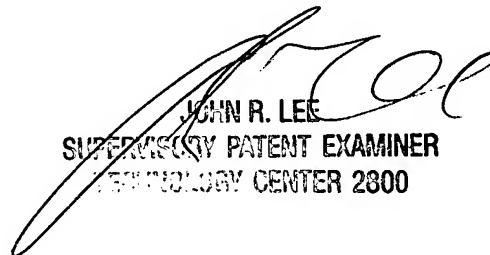
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Gurzo whose telephone number is (571) 272-2472. The examiner can normally be reached on M-Fri. 7:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Lee can be reached at (571) 272-2477. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PMG


JOHN R. LEE
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TECHNOLOGY CENTER 2800